

Nays—Messrs. Belt, Billingsley, Blackiston, Bond, Brown, Chambers, Crawford, Dail, Davis, of Charles, Dent, Duvall, Edelen, Harwood, Hodson, Jones, of Somerset, Lansdale, Lee, Marbury, Miller, Morgan, Parran, Peter, Smith, of Dorchester, Turner—24.

The amendment was accordingly adopted.

Mr. STIRLING submitted the following amendment:

Insert as an additional section the following:

"Section —. No person shall be excluded from voting at any election on account of not being registered, until the general assembly shall have passed an act of registration, and the same shall have been carried into effect, but after such act shall have been carried into effect no person shall vote unless his name appears on the register."

Mr. STIRLING said: I do not know that this amendment is absolutely necessary; but it struck me that the construction might be placed upon the first section that no person could vote after the adoption of this constitution until he had been registered. I thought it would be well to make it clear.

The amendment was agreed to.

Mr. STIRLING. I ask the unanimous consent of the convention to fill up the blank in the fifth section with the words "the fourth day of July, 1851." It is in the oath declaring that I have not bribed any voters, &c., since that date. The provision was a new one in the old constitution, and there is no reason for going back of that, or for releasing anybody who has committed the offence since that constitution took effect, which was on the 4th day of July, 1851.

Mr. JONES, of Somerset. I regret that the committee that had the matter in charge did not strike out of the oath of office everything in relation to the question of bribery. I do not believe that for the fourteen years that the constitution has been in operation, it has had the effect to prevent in one solitary instance the bribery of voters whenever it was desired. I think the tendency is demoralizing. The punishment of the offence ought to be in a court of law, making the party bribed a competent witness. It ought to be a criminal offence. I think it is utterly nugatory to place it in the oath; and I very much regret that it has been retained.

There being no objection, the blank was filled accordingly.

The article on the elective franchise was then ordered to be engrossed for a third reading.

JUDICIARY DEPARTMENT.

On motion of Mr. STOCKBRIDGE, The convention proceeded to the consideration of the report of the committee on the judiciary department, on its second reading.

Mr. TODD gave notice that at the proper time he would submit the following amendment to the report:

Insert as an additional section the following:

"Section —. It shall be the duty of the orphans' court of the several counties and the city of Baltimore, to duly apprentice to some business all negroes emancipated by the adoption of this constitution, who are minors, subject to such regulations as are now or may hereafter be prescribed by law; and in all cases the preference shall be given to their masters while in a state of slavery, when in the judgment of the said courts they are suitable persons to have charge of them."

Section first was read as follows:

PART I.

General Provisions.

Section 1. The judicial power of this State shall be vested in a court of appeals, circuit courts, orphans' courts, such courts for the city of Baltimore as may be hereinafter prescribed or provided for, and justices of the peace; all said courts shall be courts of record, and have a seal to be used in the authentication of all process issuing from them. The process and official character of justices of the peace shall be authenticated as hath heretofore been practiced in this State, or may hereafter be prescribed by law."

The second section was read as follows:

"Section 2. The judges of the several courts, except the associate judges of the orphans' courts, shall be citizens of the United States, and of this State, not less than five years next preceding their appointment, and not less than one year next preceding their appointment resident in the judicial district or circuit, as the case may be, for which they may be appointed. They shall be not less than thirty years of age at the time of their appointment, and selected from those who have been admitted to practice law in this State, and who are most distinguished for integrity, wisdom, and sound legal knowledge."

ELECTIVE JUDICIARY.

Mr. ABBOTT moved to strike out the word "appointment" in line four, and insert the word "election."

Mr. THRUSTON. I move to amend that by inserting the words "or election" after "appointment," instead of striking it out, so as to cover both cases.

Mr. ABBOTT. My object in offering that amendment now is to test the question, which will probably require considerable discussion, and which we should determine at the outset whether the convention will adopt the system of appointment or of election.

Mr. THOMAS. It appears to me that the amendment of the gentleman from Allegany (Mr. Thruston) will leave it indefinite whether judges are to be elected or appointed.

Mr. THRUSTON. It will cover the case, no matter which may be selected, election or appointment. It does not prescribe either.